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650 Town Center Drive
Suite 1600
Costa Mesa, California 92626-7130
(714)540-8700

Facsimile:(714)540-9823

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FACSIMILE COVER SHEET

TO: UNITED STATES PATENT AND TRADEMARK OFFICE
Examiner Donald Champagne
Group Art Unit 3622

FROM: Matthew J. Evans
Registration No. 56,530

RE: U.S. Patent Application No. 09/845,267
Our Ref.: 00169.002039

FAX NO.: (703)872-9306

DATE: February 25, 2005

NO. OF PAGES: 3
(including cover page)

TIME: 3:08 p.m.

SENT BY: Dawn Mangino

MESSAGE

Attachment:

Response To Restriction/Election Requirement (2 pages).

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CA_MAIN 92808v1

FEB 25 2005

00169.002039

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: Donald Champagne
TIMOTHY MERRICK LONG)
: Group Art Unit: 3622
Application No.: 09/845,267)
:
Filed: May 1, 2001)
:
For: INFORMATION APPLIANCE)
COST SUBSIDY : February 25, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated January 27, 2005,
Applicant hereby provisionally elects to prosecute the Group I claims, namely Claims 1 to
6 and 25 to 31. The Restriction Requirement is, however, traversed.

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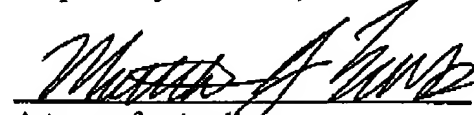
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Traversal is on the ground that there would not be an undue burden in examining two groups of claims in a single application. In particular, MPEP §808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I and II (i.e., Claims 1 to 31) in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


Attorney for Applicant
Matthew J. Evans
Registration No. 56,530

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

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